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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,397	01/17/2002	Scott B. Marovich	10003530-1	9611

7590   05/18/2007

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EXAMINER
ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2155	

MAIL DATE	DELIVERY MODE
05/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 February 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

RESPONSE TO AMENDMENT

1.   This communication is in response to the amendments received on December 4,

2006

   Claims 1-4, 6-12, 14-18, and 20-25 have been amended.

   Claims 1-25 are pending.

Continued Examination Under 37 CFR 1.114 1.

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been

withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 23, 2007

has been entered.

The Previous Rejection Maintained

2.   The 102 rejection is respectfully maintained as set forth in the last Office Action

mailed on October 4, 2006. Applicants' arguments with respect to claims 1-25 have

been fully considered but they are not persuasive and the previous rejection is

maintained.

Claim Rejections - 35 USC §102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

   A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4.   Claims 1-12, 14-18, and 20-25, are rejected under 35 U.S.C. 102(e) as being anticipated by **Dietz et al.,** (Dietz) U.S. Patent No. **6,954,789.**

5.   As to claim 1, Dietz teaches a network interface for processing incoming messages sent by a client device to a server, comprising:

a First-In-First-Out (refer to Fig. 3) adapted to receive the incoming messages and to assemble the incoming messages from a serial to a parallel form (Dietz teaches parsing (serial to parallel conversion) a packet to create a parser record comprising a function of selected portions of the packet.

a regular-expression pattern matching circuit connected to the FIFO buffer, the regular-expression pattern matching circuit adapted to, concurrent with the assembly of the incoming messages from a serial to a parallel form, recognize Hypertext Transfer Protocol (HTTP) message headers embedded in the incoming messages, parse recognized HTTP message headers into parsed HTTP message headers, and provide the parsed HTTP message headers to the server (col. 5, lines 57-62, col. 6, lines 8-12, Dietz teaches a pattern matching engine)

6.   As to claim 2, Dietz teaches the network interface as claimed in claim 1 further including: a logic circuit connected to the FIFO buffer, the logic circuit adapted to provide a response message to the client device based on a content of the recognized HTTP message headers (col. 32, lines 38-46 and col. 34, lines 28-33).

7.   As to claim 3, Dietz teaches the network interface as claimed in claim 1 wherein:

the regular-expression pattern matching circuit is further adapted to provide to the

server the parsed HTTP message headers in a compact form (col. 18, lines 25-33).

8.   As to claim 4, Dietz teaches the network interface as claimed in claim 1 wherein:

the regular-expression pattern matching circuit is further adapted to provide to the

server incoming messages that cannot be recognized by the regular-expression pattern

matching circuit (col. 14, lines 44-53).

9.   As to claim 5, Dietz teaches the network interface as claimed in claim 1 wherein:

the regular-expression pattern matching circuit is implemented by a technique

consisting of hardware, software, and a combination thereof (col. 11, lines 50-59).

10.   As to claim 6, Dietz teaches the network interface as claimed in claim 1 wherein:

the HTTP message headers include HTTP cookies (col. 14, lines 53-67).

11.   Claims 7-25 do not teach or define any new limitation above claims 1-6;

therefore, they are rejected for similar reasons.

Response to Arguments

12.   Applicant's arguments with respect to claims 1-25 have been considered but are

not deemed to be persuasive.

        After further review and consideration of the Dietz reference in view of the newly

presented amendments it is believed that the Dietz still meets the scope of the claimed

limitation. Specifically, the claim calls for a regular pattern matching circuit adapted to,

concurrent with the assembly of the incoming message from serial to a parallel form,

recognize a HTTP message header, parse the recognized header, and provide the message header to the server. Applicant argues that the FIFO and the pattern matching of the message in Dietz are not performed concurrently. The claim merely recites concurrent and does not necessarily mean simultaneous or at exactly the same moment in time. Because a microprocessor can work with much smaller units of time than people can perceive, concurrent processes appear to be occurring simultaneously but in reality are not. Dietz receives the incoming message and applies serial to parallel conversion and the message may undergo the pattern matching while still going through the serial to parallel conversion. When a long message is received it passes through the serial to parallel conversion. While the end of the message is still going through the conversion the head of the message will undergo the pattern matching and in this case both operations are happening concurrently. Examiner maintains that Dietz assembly of the incoming message from serial to parallel form is occurring concurrently with the pattern matching of the message and thus meets the scope of the claimed limitation.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.   Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
May 14, 2007

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER